

U.S. Patent Application Serial No. 10/506,671
Amendment filed December 21, 2007
Reply to OA dated September 21, 2007

REMARKS:

Claims 1-6 and 8-18 are currently being examined, of which claims 1-3 and 9 have been amended herein and claims 15-18 have been newly added herein.

The Examiner has noted that claims 4-6, 8, and 14 are allowed. The Examiner has also noted that claims 11/9/2 and 13/12/9/2 set forth allowable subject matter.

The text set forth in claim 9 at lines 2-6 has been incorporated into claims 1-3, as amended.

The text set forth in claim 10 at lines 2-5 has been incorporated into newly added claim 15.

The text set forth in claim 11 at lines 2-5 has been incorporated into newly added claim 16.

The text set forth in claim 12 at lines 2-3 has been incorporated into newly added claim 17.

The text set forth in claim 13 at lines 2-4 has been incorporated into newly added claim 18.

A. The Examiner has objected to claims 1-6 and 14 for various noted informalities relating to line indentation.

Applicants have herein modified the line indentation of claims 1-6 and 14, as shown in the enclosed listing of claims. Accordingly, Applicants respectfully submit that this objection should be withdrawn.

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B. The Examiner has objected to claims 11/9/2 and 13/12/9/2 as being dependent upon a rejected base claim.

The Examiner has objected to claims 11/9/2 and 13/12/9/2 as being dependent upon a rejected base claim, and has noted that claims 11/9/2 and 13/12/9/2 would be allowable if rewritten in independent form including the limitations of the base claim and any intervening claims.

It is submitted that the objection to claims 11/9/2 and 13/12/9/2 is an objection or requirement as to form. Applicants respectfully request that the Examiner hold this objection in abeyance while considering the remarks herein regarding base claim 2, as amended.

C. The Examiner has rejected claims 2, 9/2, 10/9/2, and 12/9/2 under 35 U.S.C. § 102(b) as anticipated by Great Britain Patent No. 745,847 (Folkard '847).

Applicants respectfully traverse this rejection, for the following reasons.

The test for anticipation under 35 U.S.C. §102 was shown by the Federal Circuit in Verdegaal Bros. v. Union Oil Co. of California, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed Cir. 1987), wherein it was indicated that "A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference."

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Additionally, in Richardson v. Suzuki Motor Co., 868 F.2d 1226, 1236, 9 USPQ2d 1913, 1920 (Fed. Cir. 1990), it was further indicated that "[t]he identical invention must be shown in as complete detail as contained in the claim."

The drawing of **Folkard '847** depicts features such as a first pipe 11, second pipe 15, and a radially outwardly directed flange 12.

Folkard '847 fails to expressly or inherently describe the combination of features set forth in claim 2, as amended, including at least the following features:

the pipe joint being characterized in that the first joint member is provided with an annular recessed portion formed between a portion of an abutting end face positioned radially inwardly and a portion of the abutting end face positioned radially outwardly ... the portion of the abutting end face of the first joint member positioned radially inwardly of the recessed portion being then in intimate contact with a portion of the abutting end face of the second joint member positioned radially inwardly of the ridge approximately over the entire surface areas thereof.

Folkard '847 fails to expressly or inherently describe the combination of features set forth in claim 2, as amended, including at least the following features:

wherein each of the joint members is provided at the abutting end face thereof with a flange portion, and the screw means comprises an annular male screw member having a forward end face in bearing contact with the flange portion of one of the joint members, and a cap nut fitted around the other joint member and having a top wall in bearing contact with the flange portion of said other joint member, the cap nut being screwed on the male screw member.

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Accordingly, in view of the above, Applicants respectfully submit that this rejection of claim 2 should be withdrawn. It is submitted that this rejection of claims 9/2, 10/9/2, and 12/9/2 should be withdrawn by virtue of their dependency. Additionally, it is submitted that the objection to claims 11/9/2 and 13/12/9/2 should be withdrawn by virtue of their dependency.

It is submitted that **Folkard '847** fails to expressly or inherently describe the features set forth in the newly added claims 15/2, 17/2, and 18/17/2 by virtue of their dependency.

D. The Examiner has rejected Claim 3 under 35 U.S.C. § 102(b) as anticipated by U.S. Patent No. 5,645,301 (**Kingsford '301**).

Applicants respectfully traverse this rejection, for the following reasons.

Kingsford '301 fails to expressly or inherently describe the combination of features set forth in claim 3, as amended, including at least the following features:

a portion of the abutting end face of the first joint member positioned radially inwardly of the recessed portion thereof being then in intimate contact with a portion of the abutting end face of the second joint member positioned radially inwardly of the recessed portion thereof approximately over the entire surface areas thereof.

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Kingsford '301 fails to expressly or inherently describe the combination of features set forth in claim 3, as amended, including at least the following features:

wherein each of the joint members is provided at the abutting end face thereof with a flange portion, and the screw means comprises an annular male screw member having a forward end face in bearing contact with the flange portion of one of the joint members, and a cap nut fitted around the other joint member and having a top wall in bearing contact with the flange portion of said other joint member, the cap nut being screwed on the male screw member.

Accordingly, in view of the above, Applicants respectfully submit that this rejection of claim 3 should be withdrawn.

It is submitted that **Kingsford '301** fails to expressly or inherently describe the features set forth in the newly added claims 15/3, 16/3, 17/3, and 18/17/3 by virtue of their dependency.

E. The Examiner has rejected claim 1 under 35 U.S.C. § 103(a) as obvious over U.S. Patent No. 2,729,104 (**Boitnott '104**).

Applicants respectfully traverse this rejection, for the following reasons.

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Boitnott '104 fails to describe, teach, or suggest the combination of features set forth in claim 1, as amended, including at least the following features:

a portion of the abutting end face of the first joint member positioned radially inwardly of the recessed portion being then in intimate contact with a portion of the abutting end face of the second joint member positioned radially inwardly of the ridge approximately over the entire surface areas thereof.

Boitnott '104 fails to describe, teach, or suggest the combination of features set forth in claim 1, as amended, including at least the following features:

wherein each of the joint members is provided at the abutting end face thereof with a flange portion, and the screw means comprises an annular male screw member having a forward end face in bearing contact with the flange portion of one of the joint members, and a cap nut fitted around the other joint member and having a top wall in bearing contact with the flange portion of said other joint member, the cap nut being screwed on the male screw member.

Accordingly, in view of the above, Applicants respectfully submit that this rejection of claim 1 should be withdrawn.

It is submitted that **Boitnott '104** fails to describe, teach, or suggest the features set forth in the newly added claims 15/1, 16/1, 17/1, and 18/17/1 by virtue of their dependency.

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F. Claims 9/1 and 9/3

The Examiner has not explicitly rejected claims 9/1 and 9/3 in the Office Action dated September 21, 2007. The text set forth in claim 9 at lines 2-6 has been incorporated into claims 1 and 3, as amended.

If, for any reason, it is felt that this application is not now in condition for allowance, the Examiner is requested to contact the Applicants' undersigned attorney at the telephone number indicated below to arrange for an interview to expedite the disposition of this case.

In the event that this paper is not timely filed, the Applicants respectfully petition for an appropriate extension of time. Please charge any fees for such an extension of time and any other fees which may be due with respect to this paper, to Deposit Account No. 01-2340.

Respectfully submitted,
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